DOCUMENT RESUME

ED 446 170 UD 033 798

AUTHOR Schiraldi, Vincent; Holman, Barry; Beatty, Phillip
TITLE Poor Prescription: The Costs of Imprisoning Drug Offenders in the United States. Policy Report.
INSTITUTION Justic Policy Inst., Washington, DC.
SPONS AGENCY Open Society Inst., New York, NY.
PUB DATE 2000-07-00
NOTE 37p.; The Lindesmith Center provided assistance.
AVAILABLE FROM Center on Juvenile and Criminal Justice, 1622 Folsom Street, San Francisco, CA 94103. Tel: 415-621-5661; e-mail: info@cjcj.org; Web site: http://www.cjcj.org.
PUB TYPE Reports - Research (143)
EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Correctional Institutions; Correctional Rehabilitation; *Costs; Drug Rehabilitation; *Drug Use; *Prisoners; Racial Differences; Young Adults

ABSTRACT

Using data from the National Corrections Reporting Program, this study examined trends in imprisoning drug offenders in the United States, focusing on the numbers of incarcerated drug offenders and the relationship between incarceration for drug use and rates of drug use. Overall, the increase in drug admissions to prison from 1986 to 1996 is astonishing. In 1996 there were nearly four times as many admissions as only 10 years before. Increases in incarceration for drug use far surpassed increases in commitments for other nonviolent and violent offenses. The growth in drug commitments has been disproportionately borne by blacks. Even in the states with a decrease in commitments for drug use, Hawaii and West Virginia, the decrease has been entirely attributable to a decrease in white incarceration. From 1986 to 1996, there has been a 291 percent increase in the rates at which young people were incarcerated because of drug involvement. Little connection has been found between drug incarceration rates and drug use. In spite of the massive increase in drug admissions to prison for young people, a recent study found that drug use among high school students increased in the 1990s, with twice as many high school students reporting the use of cocaine. Faced with the increasing numbers of people incarcerated for drug use and the human and economic costs they reflect, states are beginning to experiment with ways to address substance abuse without unnecessary imprisonment. Among these propositions are reform initiatives in Arizona and New York that provide substance abuse treatment to nonviolent offenders in place of incarceration. (Contains 11 graphs, 10 tables, and 39 endnotes.) (SLD)

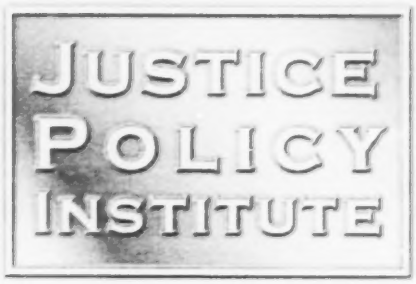
Reproductions supplied by EDRS are the best that can be made
from the original document.

ED 446 170

JUSTICE POLICY INSTITUTE
JULY 2000

EAST COAST:
1234 Massachusetts Ave NW, Suite C1009
Washington, DC 20005
202-737-7270 • Fax: 202-737-7271

WEST COAST:
1622 Folsom Street
San Francisco, CA 94103
415-621-5661 • Fax: 415-621-5466



www.cjcj.org

Poor Prescription:
The Costs of Imprisoning Drug Offenders in the United States

VINCENT SCHIRALDI,
BARRY HOLMAN AND
PHILLIP BEATTY

UD033798

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
✓ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

J. Herschman
Center on Juvenile • Criminal Justice

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

JUSTICE POLICY INSTITUTE

Advisory Board Members:

ALVIN J. BRONSTEIN
Director Emeritus
National Prison Project of the ACLU

MEDA CHESNEY-LIND, PHD
University of Hawaii at Manoa
Women's Studies Program

ELLIOTT CURRIE, PHD
Center for the Study of Law and Society
University of California at Berkeley

TERENCE HALLINAN
District Attorney
City and County of San Francisco

RONALD HAMPTON
Executive Director
National Black Police Association

JULIANNE MALVEAUX, PHD
Last Word Productions, Inc.

JEROME G. MILLER DSW
President
National Center on Institutions and Alternatives

JAY ROBTY, ESQ.
Attorney at Law
Assistant Federal Public Defender

ANDREA SHORTER
Commissioner,
Commission on the Status of Women,
City and County of San Francisco

DR. MIMI SILBERT
Delancey Street Foundation

BRYAN A. STEVENSON, ESQ.
Equal Justice Institute of Alabama

JPI is a project of the
Center on Juvenile & Criminal Justice

Poor Prescription:
The Costs of Imprisoning Drug Offenders in the United States

It is clear that we cannot arrest our way out of the problem of chronic drug abuse and drug-driven crime. We cannot continue to apply policies and programs that do not deal with the root causes of substance abuse and attendant crime. Nor should we expect to continue to have the widespread societal support for our counter-drug programs if the American people begin to believe these programs are unfair.

Barry R. McCaffrey, Director,
Office of National Drug Control Policy[1]

They [mandatory sentences] have not stemmed the drug trade. The only thing they've done is to fill the prisons.

Retired Republican New York State Senator John Dunne.[2]

I. Introduction

As America entered the new millennium we culminated the most punishing decade in our nation's history. While the number of persons in jail and prison grew by 462,006 in the seven decades from 1910 to 1980, in the 1990s alone, the number of jail and prison inmates grew by an estimated 816,965. As the millennium turned, America's prison and jail populations approached the 2 million mark, with that dubious distinction likely to be achieved within a year of the release of this report.[3]

The cost of this massive growth in incarceration is staggering. Americans will spend nearly $40 billion on prisons and jails in the year 2000. Almost $24 billion of that will go to incarcerate 1.2 million nonviolent offenders.[4] Meanwhile, in two of our nation's largest states, California and New York, the prison budgets outstripped the budgets for higher education during the mid-1990s.[5]

The number of people behind bars not only dwarfs America's historical incarceration rates; it defies international comparisons as well. While America has about 5% of the world's population, almost one in four persons incarcerated worldwide are incarcerated in the US.[6]

While substantial increases in all categories of inmates have contributed to America's mushrooming incarceration rates, the use of imprisonment for drug offenders has increased particularly sharply, drawing increased attention by researchers and policy makers alike.

In 1999, the Sentencing Project reported that between 1980 and 1997, drug arrests tripled in the United States. In 1997, four out of five drug arrests (79.5%) were for possession, with 44% of those arrests for marijuana offenses. Between 1980 and 1997, while the number of drug offenders entering prisons skyrocketed, the proportion of state prison space housing violent offenders declined from 55% to 47%.[7]

Fully 76% of the increase in admissions to America's prisons from 1978 to 1996 was attributable to non-violent offenders, much of that to persons incarcerated for drug offenses.[8] Data like these prompted retired General Barry McCaffrey, Director of the Office of National Drug Control Policy, to refer to America's prison system as an "American gulag."[9] And indeed, with an incarceration rate second to only Russia's, the drug czar's choice of language is fitting.[10]

The hammer of incarceration for drug offenses has by no means fallen equally across race or age categories, with young, African American men suffering unprecedented rates of incarceration for drug offenses. According to the Sentencing Project, nearly one in three (32%) black men between the ages of 20 and 29 were under criminal justice control in 1995.[11] A recent report by the Building Blocks for Youth Initiative found that black youth were admitted to state public facilities for drug offenses at 48 times the rate of white youth.[12]

From 1986 to 1991, while the number of blacks imprisoned for violent offenses rose by about the same amount as whites (31,000 and 33,000, respectively), the number of blacks imprisoned for drug offenses increased four times as much as the increase for whites (66,000 vs. 15,000).[13] This occurred at a time when survey data showed that five times as many whites were using drugs as blacks.[14] The consequences of mass incarceration affect individuals and whole communities. The Sentencing Project and Human Rights Watch has reported that by 1998, 1.4 million African America men, or 13% of the black male adult population, had lost the right to vote due to their involvement in the criminal justice system.[15]

More recently, Human Rights Watch released a report focusing on the extent to which African Americans "have been burdened with imprisonment because of nonviolent drug offenses." The findings of the report were sobering:

- While blacks make up about 13% of regular drug users in the US, they make up 62.7% of all drug offenders admitted to prison.

- While there are 5 times as many white drug users as black drug users, black men are admitted to state prison for drug offenses at a rate that is 13.4 times greater than that of white men. This drives an overall black incarceration rate that is 8.2 times higher than the white incarceration rate.

- In seven states, blacks constitute 80 to 90% of all drug offenders sent to prison. In 15 states, black men are admitted to state prison for drug charges at a rate that is 20 to 57 times the white male rate.[16]

Human Rights Watch concluded, "Drug control policies bear primary responsibility for the quadrupling of the national prison population since 1980 and a soaring incarceration rate, the highest among western democracies.... No functioning democracy has ever governed itself with as large a percentage of its adults incarcerated as the United States."

Using the same data set examined by the Human Rights Watch researchers – the National Corrections Reporting Program – as well as data provided by the Justice Department's Bureau of Justice Statistics and the California Department of Corrections, the Justice Policy Institute sought to examine several questions:

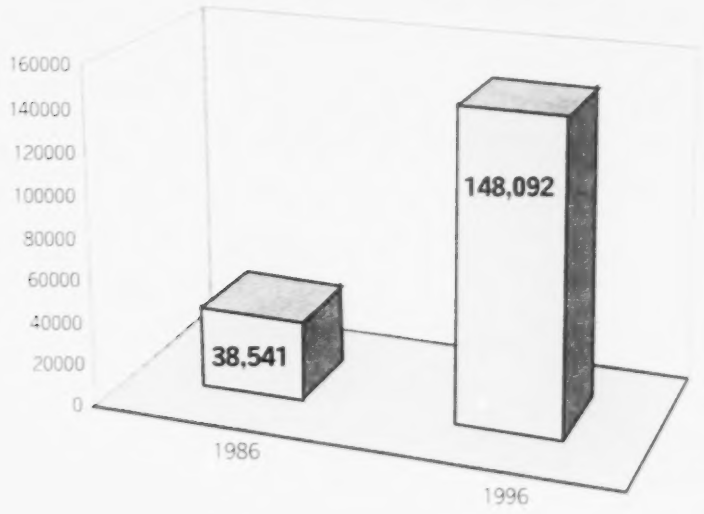
- What proportion of the total current prison population is made up of persons incarcerated for drug offenses and what is America currently spending to incarcerate drug offenders?
- How has incarceration for drug offenders increased over time vs. incarceration for other categories of non-violent offenders and for violent offenders?
- How have drug commitments for whites and blacks changed over time?
- How have drug commitments for younger adults changed over time?
- Which states make the most prolific use of prison space for drug offenders?
- Do states that incarcerate a higher proportion of their citizens for drug offenses experience lower rates of drug use amongst their citizens than states that make more parsimonious use of prisons for drug offenders?

II. Findings

A. Monumental growth of drug commitments to prisons

Nationally, the overall increase in drug admissions to prison from 1986 to 1996 is astonishing. For the thirty-seven states examined, a total of 38,541 inmates were admitted to prison on drug charges in 1986. In 1996 that number had grown to 148,092–nearly four times as many admissions as only a decade earlier (Graph 1). As population figures change, it is more instructive to examine drug incarceration rates per 100,000. In 1986, for every 100,000 citizens there were 18 people admitted to prison for drug offenses. By 1996 the rate had more than tripled to 63 drug admissions per 100,000, a 247% increase (Graph 2).

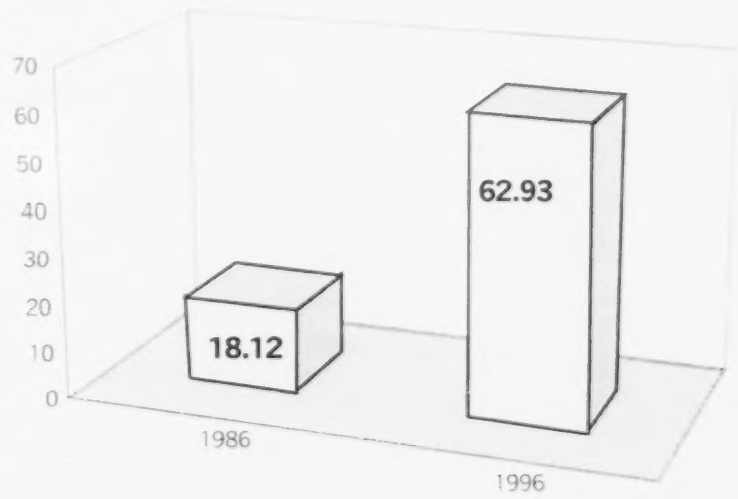
Graph 1: Number of Prison Admissions for Drug Offenses, 1986 and 1996



By the year 2000, these increases resulted in 458,131[17] drug offenders incarcerated in America's prisons and jails–approximately the size of the entire US prison and jail population of 1980.[18] This means that nearly one in four (23.7%) prisoners in America is incarcerated for a non-violent drug offense.[19] Using federal, state and local average per prisoner annual costs, the price tag for incarcerating 458,131 nonviolent drug offenders comes to $9.4[20] billion annually.

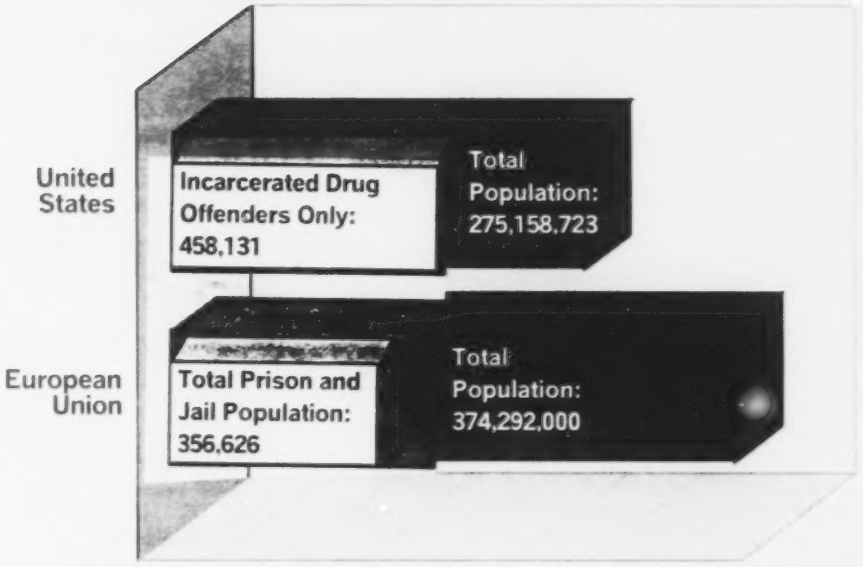
This growth defies not only historical US prison populations, but international incarceration rates as well. America's imprisonment of drug offenders dwarfs the incarcerated drug populations of *all* of Europe. In fact, America has 100,000 more persons behind bars *just for drug offenses* (458,131), than the European Union has *for all offenses* (356,626),[21] even though the EU has 100 million more citizens than the US (Graph 3).

Graph 2: Rate of Prison Admissions for Drug Offenses, 1986 and 1996



Every state except West Virginia and Hawaii increased the number of admissions to prison for drug offenses in 1996 versus 1986. But, as we show, the ramifications of these two states' decreases need to be taken with

Graph 3: America locks up 100,000 more persons just for drug offenses than the entire European Union does for all offenses, even though the EU has 100 million more citizens than the U.S.



Sources: Population (in thousands) for countries of the World, 1998. New York, New York: United Nations, Department of Economic and Social Affairs, Population Division, 2000; Walmsley, Roy. World Prison Population List. London, UK: Home Office, Research, Development and Statistical Directorate, 1999; U.S. Population Clock Projection, U.S. Census Bureau, July 4, 2000. www.census.gov/cgi-bin/popclock.)

a grain of salt. California incarcerated the most people for drug admissions in 1986 and again in 1996, 9,885 and 42,614 respectively—a quadrupling in drug incarcerations (see California insert, next page). No other state came close. New York incarcerated the second most with 14,658 in 1996, up from 4,464 in 1986; Texas was third, admitting 9,246 in 1996 compared to 5,805 in 1986.

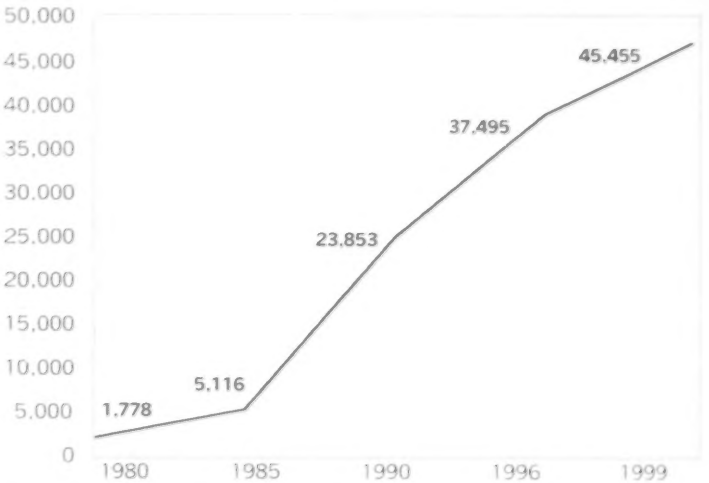
Examining the rates of drug incarceration offers a more reasonable way to compare states to one another (Table 1). California is the leader in this category as well with 134 Californians incarcerated for drug offenses for every 100,000 citizens of the state. California also led the nation in 1986 with 37 admissions to prison for drug offense per 100,000. Texas, the third highest incarcerator in terms of raw numbers in 1996, had the second highest drug incarceration rate in 1986 (35). However, Texas fell to 16th in 1996 with 49 drug incarcerations per 100,000.

BEST COPY AVAILABLE

Drug Policy and California's Prison Population

During the 1980s, California embarked on the largest expansion of a state prison system in United States history. Capitalizing on growing public crime fears and a powerful prison lobby, state officials implemented over a thousand new laws designed to increase penalties through longer prison sentences. Although California's prison population increased for all offenders, nonviolent drug offenders accounted for the most dramatic increases. As Graph 10 shows there were 1,778 drug offenders in the California Department of Corrections in 1980 and 44,455 drug offenders in 1999; a 25-fold increase in a 20 year period. There are now twice as many Californians incarcerated for drug offenses as the entire state prison population in 1980 (23,264). Presently, drug offenders account for approximately 27% of California's prison population compared to only 8% in 1980. In 1999, the state spent $1,022,465,000 a year to imprison 44,455 drug offenders.

Graph 10: Number of persons imprisoned by the California Department of Corrections for drug offenses:



Source: California Department of Corrections

Note that while there was modest growth in imprisonment from 1980 to 1985, the biggest growth came after 1985 and the implementation of harsh new drug laws.

The increased imprisonment brought about by California's draconian drug policies have been especially harsh on women. Presently, 51% of the females admitted to California state prisons are sentenced for drug violations compared to 39% of male admittees.

In 1999, of the 45,455 imprisoned in California for drug offenses, 20,862, or 46%, were incarcerated for simple possession only; the remainder were for drug manufacture, sales, or possession with intent to sell. Seventy-five percent of the growth in imprisonment for drug offenders over the past five years has been for simple possession. This population is mostly nonviolent drug users with long term addictions who serve relatively short sentences. While in prison those inmates with addictions are unlikely to receive treatment due to limited resources and the absence of a rehabilitation mandate.

During the 1980s, the fastest growth in drug arrests and imprisonments was for manufacture, sales, and possession with intent to sell offenses. During the 1990s, nearly all of the growth has been for simple possession offenses.

If current trends continue, simple possession offenses will constitute the majority of drug offenders in California prisons.

Table 1 - Ten states with the highest rate of admissions to prison for drug offenses in 1996

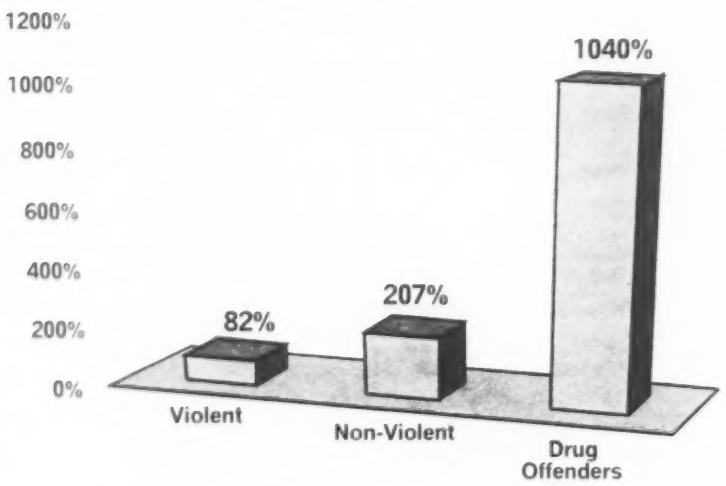
State	*1986 Rate**	*1996 Rate**	*%Change*
California	36.47	134.09	267.63
Louisiana	3.56	106.55	2890.84
New Jersey	11.04	85.26	272.63
New York	25.03	80.79	222.74
North Carolina	24.46	76.69	213.57
Illinois	11.14	73.25	557.33
South Carolina	29.35	70.98	141.87
Maryland	22.11	68.30	208.93
Mississippi	19.39	68.30	252.20
Georgia	2.96	64.46	2078.82

* rate per 100,000

Source: National Corrections Reporting Program, 1986, 1996 data

Texas' relative slide (during which time, it is important to remember, Texas still experienced a 39% increase in its drug commitment rate) is largely the result of having been surpassed by a number of states with very low rates in 1986 choosing to increase their reliance on prison to deal with drug offenders. Topping this list is Louisiana, which in 1986 incarcerated 4 per 100,000 state residents for drug offenses. In 1996, Louisiana had catapulted to second place in incarceration rates for drug offenders with 107 per 100,000–a 2890% increase. Likewise, Georgia imprisoned 3 drug offenders per 100,000 citizens in 1986, the lowest in the nation. By 1996, Georgia was admitting 65 per 100,000 to state prisons–a 2079% increase.

Graph 4: From 1980-1997 the number of people entering prison for violent offenses doubled, while non-violent offenses tripled and drug offenses increased 11-fold



Source: Gilliard, Darrel K. Trends in U.S. Correctional Populations, 1992. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1992, and Mumola, Christopher J. and Beck, Alan. Trends in U.S. Correctional Population, 1997. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, in press.

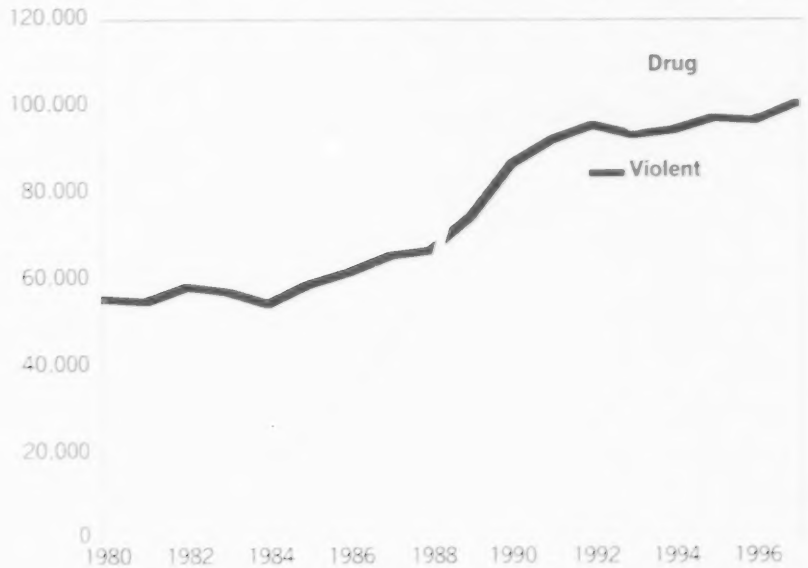
West Virginia (-5%) and Hawaii (-10%) are the only two states showing a drop in drug ad-

mission rates; all other states report an increase. Appendix Table 1 lists the rate and percent change in drug ad-missions for 1986 and 1996.

B. Increases in drug commitments dwarf changes in violent and non-violent commitments

The growth of drug commitments has disproportionately contributed to the overall growth of prison populations in the US. From 1980 to 1997, the number of offenders committed to state prison nearly doubled (+82%), the number of non-violent offenders tripled (+207%) while the number of drug offenders increased 11-fold (+1040%) (Graph 4). In 1988, for the first time, the number of drug offenders being committed to prison exceeded the number of violent offenders being sent to prison, and has exceeded it every year since (See Graph 5).

Graph 5: Every year since 1989 the number of people sent to state prison for drug offenses has exceeded the number of people sent to state prison for violent offenses



Source: Gilliard, Darrel K. Trends in U.S. Correctional Populations, 1992. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 1992, and Mumola, Christopher J. and Beck, Alan. Trends in U.S. Correctional Population, 1997. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, in press.

Table 2-Ten States with the Highest Percent of Admissions to Prison for Drug Offenses in 1996

State	*1986%*	*1996%*	*%Change*
NewYork	21.82	45.59	108.9
NewJersey	23.87	43.45	82.0
Illinois	10.65	37.23	249.6
Washington	10.06	36.83	266.1
California	18.00	34.16	161.6
Louisiana	40.78	33.41	-18.1
Virginia	12.79	30.81	140.9
Ohio	13.40	29.15	117.5
Pennsylvania	11.51	28.77	150.0
Georgia	34.62	27.80	-19.7

Source: National Corrections Reporting Program, 1986, 1996 data

Thirty states increased the percent of new admissions to prison from 1986 to 1996. Seven states reported lower admissions for drug offenses in 1996 than in 1986. Table 2 shows the ten states with the largest percent of prison admissions for drug offenses in 1996, the percent of drug admissions in 1986 and the percent change in admissions between these years. See Appendix Table 2 for data on all states.

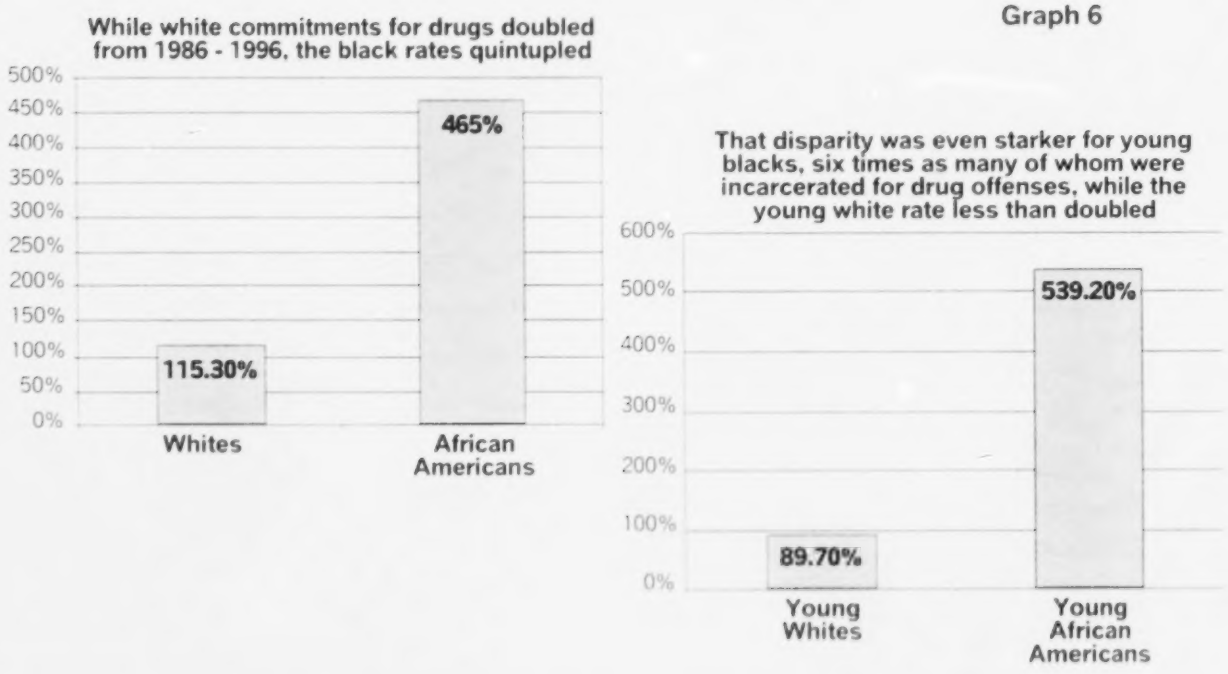
C. Growth in drug commitments disproportionately borne by blacks

The numbers above describe a nearly unilateral increase in the use of prison as an attempt to deal with the drug issue in the United States. They tell only part of the story. The following data clearly show the brunt of the war on drugs being shouldered by the African American community. While many more whites use drugs than blacks in America, prison space for drug offenses is increasingly reserved for African Americans.

The overall rate of admission to prison for drug offenses was 63 per 100,000 in 1996. When dichotomized by race, however, the rates reveal vast disparities. Whites were sent to prison for drug offenses at a much lower rate (20 per 100,000) than were African Americans (279 per 100,000), in 1996. That means blacks are incarcerated for a drug offense at a rate 14 times that of whites, while survey data reveals that five times as many whites use drugs as blacks.[22]

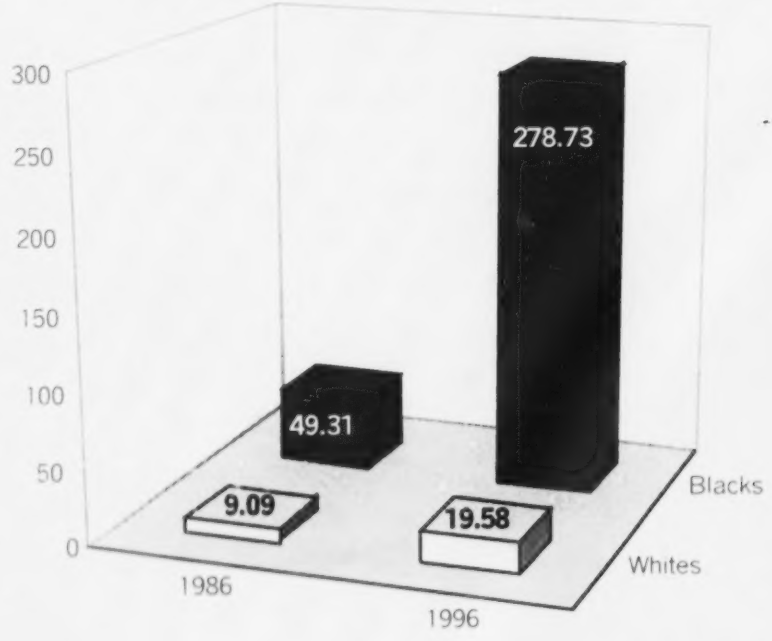
Both whites and blacks were admitted to prison at higher rates in 1996 than 1986. But for blacks the increase was much more dramatic. Whites experienced a 115% increase in

Graph 6



the rate of drug admissions, from 9 to 20. Meanwhile the black rate of 49 per 100,000 in 1986 skyrocketed by 465% to 279 per 100,000 in 1996 (Graph 6). Put another way, while the white drug commitment rate doubled from 1986 to 1996, the black rate quintupled (see Graph 7). Despite the doubling of the white drug commitment rate between 1986 and 1996, the black rate of commitment to prison for drug offenses in **1986** was still 2 1/2 times the **1996** white rate.

Graph 7: Rate of Prison Admissions for Drug Offenses by Race, 1986 and 1996



In 1986 the gap between the percent of new admissions for blacks and whites that were the result of drug convictions was small and in some states the

BEST COPY AVAILABLE

Table 3 - States with the Highest Percentage of Black Admissions to Prison for Drug Offenses, 1996

State	%1986		%1996		%Change	
	B	W	B	W	B	W
Washington	8.05	6.28	49.96	23.19	696.0	53.0
New Jersey	22.57	20.76	48.05	23.37	131.0	03.5
Illinois	11.75	7.40	46.23	14.46	525.0	23.0
NewYork	17.16	14.46	45.11	16.72	212.0	-2.6
Kentucky	10.07	9.08	41.56	16.98	358.0	67.0
W.Virginia	18.63	25.77	40.25	8.61	056.0	-54.0
Maine	22.88	unav	39.13	8.42	-63.0	NA
Virginia	14.06	11.09	38.47	15.95	247.0	13.0
Ohio	14.01	12.19	38.10	17.25	213.0	23.0
Texas	17.57	11.42	37.45	17.96	228.0	2.2

Source: National Corrections Reporting Program, 1986, 1996 data

percentage for whites exceeded that of blacks. During the "Punishing 90's," however, the percent of blacks entering prison for drug offenses outstripped that of whites, in some states more than two to one (Table 3).

State level data reveal an even starker image of the change in white and black rates of incarceration. Earlier we reported that Hawaii and West Virginia experienced a decrease in their overall drug incarceration rates. However, we find that in these states the decrease is fully attributable to a white decrease in incarceration. The percent change in the rate of incarceration for whites in West Virginia was -38%, for Hawaii it was -58%. Blacks in each state did not fair so well with increases of 172% in West Virginia and 87% in Hawaii.

Five other states also reduced the drug incarceration rates for whites between 1986 and 1996. Like Hawaii and West Virginia, however, blacks in those states weathered a dramatic increase. For example, in South Carolina, Texas, and North Carolina, while the white commitment rate for drug offenses was declining by 32%, 27%, and 21%, respectively, the comparable black rate was exploding by 270%, 216%, and 501%, respectively (Table 4).

Table 4 - States Reporting a Rate Decrease in Prison Admissions for Whites in 1996 versus 1986

State	1986 Rate*		1996 Rate*		%Change	
	W	B	W	B	W	B
Hawaii	19.62	21.75	8.26	40.70	-57.91	87.13
West Virginia	6.77	41.53	4.19	112.85	-38.10	171.76
South Carolina	17.77	56.00	12.06	207.00	-32.16	269.62
Texas	23.71	69.91	17.40	220.68	-26.61	215.68
North Carolina	16.64	49.51	13.19	297.41	-20.75	500.68
Maine	4.70	unrep	4.21	172.02	-10.31	**
Pennsylvania	4.48	26.33	4.44	148.81	- 00.78	465.20

* rate per 100,000

**Maine's overall drug admission rates increased 9.4%. It is most likely that this increase is exclusively the result of an increase in the black incarceration rate.

Source: National Corrections Reporting Program, 1986, 1996 data

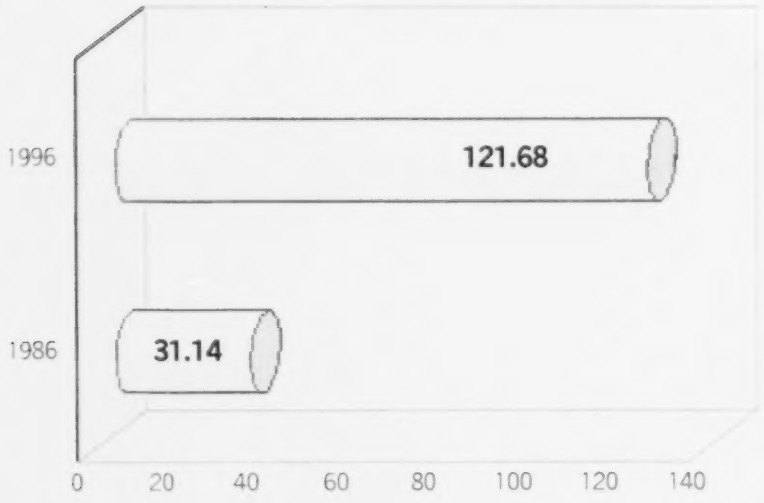
In no state did the rate of increase for whites outpace that for blacks. In most states the black percentage change far exceeds that of whites. The states with the largest percent increases for blacks are Louisiana (10,102%), Georgia (5,499%), Arkansas (5,033%), Iowa (4,284%) and Tennessee (1,473%). Each of these states began with a low rate of incarceration of blacks (and whites) for drug offenses in 1986. The next eleven years were spent catching up with and passing other states in the race to incarcerate black drug users. Appendix Table 3 lists the white and black incarceration rates for 1986 and 1996 by state and the percent change in the rate between those years.

D. Fast-paced growth in the incarceration of young adults for drug offenses

Next we asked how prison policies regarding drug offenders affected America's young adults.[13]

America has certainly gotten tougher on its youth. In 1986, nearly at the height of the drug war, 31 out of every 100,000 youth were admitted to state prisons for drug offenses. In 1996, 122 youth per 100,000 were entering prison on drug convictions. This represents a 291% increase in the rate at which young people were incarcerated because of drug involvement (Graph 8).

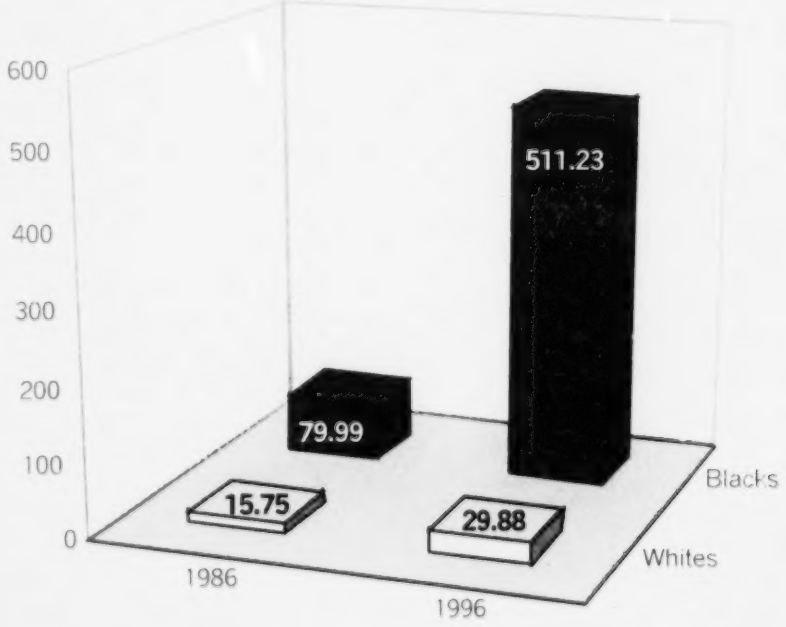
Graph 8: There was a four-fold increase in drug admissions for young adults from 1986-1996



Hawaii was the only state to show a decrease in the rate of youth incarceration for drug offenses (-10%). Georgia youth experienced the largest increase (6,322%) followed by Louisiana (6,197%), Iowa (1,736%), Tennessee (1,432%) and Arkansas (1,250%).

Again we examined how this significant increase was being played out across racial lines. These findings are even more disturbing than those that look-ed at all ages. Nationally, the percent increase in the rate of incarceration for drug offenses between 1986 and 1996 was 539% for young blacks compared to 90% for whites (Graph 6). In 1986 young blacks were incarcerated at a rate of 80 per 100,000; young whites were incarcerated at a rate of 16. In 1996 the young white rate of incarceration had doubled to 30 but the young black rate had grown nearly six and one-half times to 511 per 100,000 (Graph 9).

Graph 9: While the rate of young whites being sent to prison for drug offenses from 1986-1996 doubled, the comparable black rate increased six-fold



At the state level, we were not surprised to find great discrepancy in the rates at which white and black youth are admitted to prison or in the disparate levels of change in admission rates over time. In

BEST COPY AVAILABLE

Table 5 - States Where the White Youth Rate of Admission for Drug Offenses Decreased and Associated Black Rates

State	*1986 Rate**		*1996 Rate**		*% Change in Rate*	
	W	B	W	B	W	B
Hawaii	21.49	9.24	12.83	16.62	-40.32	79.92
Texas	46.46	95.11	28.45	382.54	-38.76	302.23
South Carolina	34.05	93.76	21.83	477.10	-35.91	408.87
West Virginia	11.84	50.43	08.16	329.98	-31.06	554.32
North Carolina	32.06	64.75	25.99	521.92	-18.94	706.12
Maine	06.78	unrep	05.95	105.93	-12.31	**

* rate per 100,000

**Maine's overall drug admission rates increased 9.4%. It is most likely that this increase is exclusively the result of an increase in the black incarceration rate.

Source: National Corrections Reporting Program, 1986, 1996 data

six states, the rate of prison admission of white youth for drug offenses decreased–black youth did not share the same experience (Table 5). See Appendix Table 4 for data on all 37 states concerning youth incarceration for drug offenses in 1986 and 1996.

E. Little connection found between drug incarceration rates and drug usage

It is, of course, important to ask how drug incarceration rates might be influencing drug use. After all, some support such high rates of incarceration by claiming that they are having a salutary impact on drug use. A thorough analysis of this question is extremely difficult given the paucity of data on state-by-state drug use. At the present time, since the Substance Abuse and Mental Health Services Administration (SAMSHA) data is not reported on a state-by-state basis, no annual state-by-state data is available to properly analyze changes over time in state drug use.

However, in 1993, SAMSHA produced a three-year average of 1991-1993 estimates of state-by-state drug use in 26 states which was reported in the recent Human Rights Watch report.[24] Of those, 23 corresponded to states whose incarceration data are available through the National Corrections Reporting Program–the program we have used for our state-by-state drug incarceration analysis.

Appendix Table 5 reports the annualized average of the percent of people twelve and older in each state who reported using drugs in the previous month, 1991-1993. Using the NCRP admissions data for those years, we computed the average rate of drug admission to prison in the twenty-three corresponding states; they are also reported in Appendix Table 5.

We wanted to know if this available data could give us a clue as to any association between rates of incarceration and the percent of people using drugs. A simple bivariate correlation analysis was performed. The correlation coefficient is both positive (.495) and statistically significant at the .05 level. In other words, for those states with data available, the connection between drug commitment rates to prison and the percent of those using drugs is associated–states with higher rates of drug incarceration have higher rates of drug use.

A bivariate analysis of the 1991 drug admission rates and the 1991-1993 drug use averages was performed to check for a lag effect of high drug admission rates on drug use. Are high rates of incarceration in 1991 associated with lower drug use in subsequent years? Again, the correlation between admission rates to prison and drug use rates is positive (.440) and significant at the .05 level. High rates of incarceration in 1991 are associated with high drug use rates in 1991-1993. Indeed, despite the massive increase in drug admissions to prison for young people during the 1990s, a recent Center for Disease Control Study found that drug use among high school children increased during the 1990s, with twice as many kids reporting have used cocaine

III. Discussion

A. Summary of Findings

As with other examinations of the impact of the drug war on incarceration rates, the Justice Policy Institute has found that the imprisonment of drug offenders has grown at an alarming rate over the past two decades, even when compared to the generally explosive growth of incarceration in the US during that time. While the number of persons imprisoned in state institutions for violent offenses nearly doubled from 1980 to 1997,

the number of nonviolent offenders has tripled and the number of persons imprisoned for drug offenses has increased eleven-fold.

Nearly one in four persons imprisoned in the United States is imprisoned for a drug offense. The number of persons behind bars for drug offenses is roughly the same as the entire prison and jail population in 1980. There are 100,000 more persons imprisoned in America for drug offenses than *all* prisoners in the European Union, even though the EU has 100 million more citizens than the US. The cost of incarcerating over 458,000 prisoners for drug offenses now exceeds $9 billion annually.

This punitive and costly approach has fallen most heavily on young, black males. Even though surveys continue to show similar drug usage rates for young blacks and whites, prison commitments for young black males has increased six-fold while prison commitments for young whites has doubled. In 6 states, drug commitment rates for young whites actually declined while comparable black rates experienced two- to eight-fold increases.

Finally, we utilized data from 23 very diverse states around the country for which we had both drug use data and rates of drug offender admissions to prison. We found a significant, positive correlation between the two, suggesting that, if anything, states with *higher* rates of drug incarceration experience *higher*, not lower, rates of drug use.

This is not the first study to question the effectiveness of incarceration as a means to reduce substance abuse. According to 1997 research by the RAND corporation, spending additional funds to provide treatment for heavy cocaine users would reduce drug consumption by nearly four times as much as spending the same amount on law enforcement, and more than seven times as much as spending the same amount on longer sentences. Additionally, RAND estimated that treatment reduced drug-related crime as much as 15 times more than mandatory sentences. According to RAND:

> *Mandatory minimum sentences are not justifiable on the basis of cost-effectiveness at reducing cocaine consumption, cocaine expenditures, or drug related-crime. Mandatory minimums reduce cocaine consumption*

less per million taxpayer dollars spent than does spending the same amount on enforcement under the previous sentencing regime. And either type of incarceration approach reduces drug consumption less than does putting heavy users through treatment programs, per million dollars spent.[25]

B. Legislative, Judicial, and Voter Initiative Reforms

While there remains plenty of bad news to report about the overreliance on incarceration as a solution to America's drug dilemma, there are beginning to be some rays of hope in creating a more rational and effective response to our nation's drug problem. Faced with data like these and the costs and human tragedies they reflect, states around the country have begun to experiment with ways to address substance abuse without breaking the bank and deteriorating the human condition through unnecessary imprisonment.

Legislation

Although 36 states currently have mandatory minimums in place for drug offenses, one of the first states to enact such mandatory sentences, Michigan, recently moved to ease some of the more draconian provisions of its so-called "650 Lifer" drug laws. Passed in 1978, the 650 Lifer law meted out mandatory sentences of life without the possibility of parole for persons caught with at least 650 grams of heroin or cocaine. After a heated debate, the Michigan legislature passed, and the governor signed, a law which allowed parole for some 650-lifers after they served 15 or 20 years, depending on their prior record.[26] Although the change will apply to only a small number of persons sentenced in Michigan each year, Families Against Mandatory Minimums Executive Director, Laura Sager, describes it as a sea change, "It was an admission on the part of both parties that drug laws had gone too far, that they hadn't worked as intended.... It was considered an incredible thing."[27]

Similarly, in 1994, Congress passed a "safety valve" to the federal mandatory drug provisions which allows judges to sentence offenders below the mandatory minimum if the offender has a minimal prior record, the offense is nonviolent, and the offender cooperates with prosecutors.[28] According to The Sentencing Project, "Since the adoption of this provision, 20% of federal drug cases are now sentenced in this way, providing an indication of the degree to which low-level offenders are being prosecuted."

Judicial Efforts

Recently, a statewide panel convened by New York State's Chief Judge Judith S. Kaye announced what it described as "sweeping new reforms to provide court-mandated substance abuse treatment to nonviolent drug-addicted offenders throughout the state."[29] According to the *New York Times*, the reforms would make New York the "first state to require that nearly all nonviolent criminals who are drug addicts be offered treatment instead of incarceration."[30] The plan developed by the Commission on Drugs and the Courts convened under the aegis of New York's Unified Court System would divert 10,000 defendants from prison or jail into treatment at a savings of $500 million a year in incarceration and other taxpayer costs.[31] According to Chief Judge Kaye,

> *[T]he court system is seeking to end the unproductive recycling of immense numbers of drug cases, which have pushed to the limit our already overburdened court dockets. In this regard, we are beginning immediately to implement a new program that addresses drug-related offenses on a systemic level statewide, concentrating on achieving the most cost-effective and long-term outcomes for both the public and substance-abusing defendants, while at the same time safeguarding public safety.*[32]

In 1998, there were some 22,670 drug offenders in the New York State prison system, about one-third of all prisoners. Over 90% are there because of two mandatory sentencing laws that were passed in 1973 known as the Rockefeller Drug Laws. It costs New York State over $680 million a year to keep these nonviolent drug offenders in prison. By way of comparison, since 1988, the state has reduced its annual budget for higher education by $615 million.[33] According to data cited in the Commission's report, fully 6,834 of prisoners incarcerated in New York for drug offenses were never convicted of a violent felony. Ninety-one percent of the 8,521 drug offenders sentenced to state prison in New York were either convicted of possession or one of the three lowest level drug offenses.[34] As noted above, a higher percentage of New York's prisoners are committed for drug offenses than any other state.

Although New York State's mandatory sentencing laws for drug offenses – the first and some of the harshest in the nation – were ostensibly the focal point around which the commission convened, the commission chose to make only minor recommendations

with respect to them due to an inability "to reach consensus to recommend either their repeal or their continued existence in their present form."[35] Instead, the Commission recommended allowing the New York State Court of Appeals, the state's highest judicial branch, to review and reduce sentences for a small number of those sentenced under the Rockefeller Drug laws.

Voter Initiatives

While the aforementioned reform efforts are encouraging first steps, some view legislative and judicial branch efforts to reform drug policy as too compromised by political concerns. As a result, citizens in a number of states have taken matters into their own hands by placing drug reform initiatives on the ballot for voter approval. From 1996 to 1999, voters in eight states (Alaska, Arizona, California, Colorado, Maine, Nevada, Oregon, and Washington) and the District of Columbia approved initiatives allowing for the medical use of marijuana by cancer patients and those suffering from AIDS.

In the early 1990s, voters in Arizona approved an initiative that diverted nonviolent defendants convicted of drug possession from prison as well as medicalizing marijuana. Disturbed over the passage of what it considered an irresponsible initiative, the Arizona legislature forced a second vote on the same issue and, in November 1996, the Drug Medicalization, Prevention, and Control Act ("the Act") was again passed. In December 1996, the Act established the Drug Treatment and Education Fund to create drug treatment slots for offenders who would be diverted from prison under the Act.

In a March 1999 report from the Arizona Supreme Court, it was found that 2,622 probationers participated in treatment under the program in its first year. There was a 98.2% matching rate between recommended and actual placements and, at the time of the report, there was a success rate of 61.1% for the 932 probationers for whom treatment completion data was available. The Supreme Court researchers estimated that the program achieved a net saving of $2,563,032 in incarceration costs during its first year of implementation after subtracting treatment and probation costs. The researchers estimated that these savings would increase in subsequent years as the initiative achieved full implementation.[36]

Buoyed by the success of the Arizona initiative, the California Campaign for New Drug Policies has placed the Substance Abuse and Crime Prevention Act on the ballot for November 2000. Like the Arizona initiative, the California Act would send those convicted of nonviolent drug possession charges to treatment centers instead of prison. Those convicted of selling or manufacturing drugs would be ineligible for diversion, as would those with convictions for violent offenses in the last 5 years.

Even with those limitations, the non-partisan California Legislative Analyst's Office estimates that the measure would reduce the state's prison population by 25,000 and the population in county jails by another 12,000, saving the state between $100 million to $150 million a year. In addition, counties would save $50 million a year in jail costs, and there would be a one-time savings of $500 million in prison construction costs.[37] To pay for the new drug treatment slots, the initiative requires the establishment of a $120 million superfund, generated from the savings in prison costs. Those funds would be funneled to counties to provide treatment for offenders diverted from incarceration. Contrary to the conventional wisdom amongst political pundits, a poll taken recently by the Field Institute found that 64% of poll respondents supported the initiative, compared to 20% who opposed it.[38]

The country is going through a period of unprecedented prosperity, but not all of America's citizens are sharing in that prosperity. A population approximately the size of the District of Columbia[39] is currently incarcerated for drug offenses, many of whom are nonviolent, many of whom could be addressed more effectively through diversion into treatment rather than costly and debilitating incarceration. As states like New York and California have led the nation's move toward incarcerating drug offenders, perhaps those states can lead the nation in a more reasonable, effective, and humane approach to combating substance abuse and its concomitant problems.

V. Methodology

A. Data Sources

The findings in this report were mainly generated using two data sources. Prison admission data for 1996 and 1986 come from:

U.S. Dept. of Justice, Bureau of Justice Statistics. *National Corrections Reporting Program, 1996.* [CD-ROM]. ICPSR ed. Ann Arbor, MI. Inter-University Consortium for Political and Social Research [producer and distributor], 1999.

U.S. Dept. of Justice, Bureau of Justice Statistics. *National Corrections Reporting Program, 1983-1986, 1991, 1992, 1993.* [CD-ROM]. ICPSR ed. Ann Arbor, MI. Inter-University Consortium for Political and Social Research [producer and distributor], 1998.

It is a major shortcoming of the criminal justice system that no comprehensive, complete and scientifically gathered data set exists to report state-by-state data on the race, offense and other important characteristics of inmates. The National Corrections Reporting Program (NCRP) is the only source available for examining admissions to prison by state, race, offense and other variables. The NCRP reports individual level data on each admission to state prison in a given year. The number of states reporting varies from year to year. For the years we examine, these data exist for thirty-seven matching states. The Department of Justice has gathered this data yearly since 1983.

We chose 1996 as one year of analysis because it is the latest NCRP data available. 1986 was chosen because prior to then the number of states participating and the quality of the data decline significantly. There were thirty-seven states that contributed complete data in both 1986 and 1996. We use these states in our analysis. The NCRP reports up to three offenses for each admission. It further reports the most serious of these offenses. Our analysis includes only those admissions for which a drug offense was the most serious offense. If, for instance, an admission included murder and drug possession, the admission would not be included in our analysis.

Because of missing or ambiguous data concerning both type of drug and type of drug offense, we do not report findings concerning these variables. In a substantial proportion of cases, the drug type or the type of drug offense was listed as "unspecified" in the NCRP and therefore we can only examine all drug admissions as a group.

To calculate rates of admissions, we used population figures provided by the Bureau of Census. For both 1996 and 1986 we use July estimates published on the Census website at:

1996: http://www.census.gov/population/estimates/state/sasrh/sasrh96.txt
1986: http://www.census.gov/population/www/estimates/st_81asrh.html

B. Analysis of subpopulations

For all information in this report, total population refers to people of all ages, and all races and ethnicities. Black refers to black non-Hispanics. White refers to white non-Hispanics. When looking at all 15-29 year-olds, this included people of all races and ethnicities. Rates for 15-29 year-old blacks refer only to black non-Hispanics. Rates for 15-29 year-old whites refer only to white non-Hispanics. Because of unreliable ethnicity data in both the 1996 and 1986 data sets, we could not include an analysis of drug admissions for Hispanics. It should be noted, however, that Hispanics are estimated to be twenty percent of the current prison and jail population.

VI. Endnotes

[1] Prepared remarks by Barry R. McCaffrey, Director, Office of National Drug Control Policy before the First Annual Criminal Justice and Substance Abuse Conference, Albany, New York, June 29, 1999.

[2] Commenting on New York State's mandatory sentences for drug offenses, which he voted in favor of in 1973. Quoted in *Terms of Imprisonment*, by Ellen Perlman, Governing Magazine, April 2000.

[3] See, for example, Alan J. Beck *Prison and Jail Inmates at Midyear 1999*, Bureau of Justice Statistics, U.S. Department of Justice, April 2000; and Jason Ziedenberg and Vincent Schiraldi, *The Punishing Decade: Prison and Jail Estimates at the Millennium*, Justice Policy Institute, Washington, DC, revised estimates, May, 2000.

[4] Ziedenberg and Schiraldi, May 2000.

[5] See Dan Macallair, Khaled Taqi-Eddin and Vincent Schiraldi, *Class Dismissed: Higher Education vs. Corrections During the Wilson Years*, Justice Policy Institute, Washington, DC, September 1998; Robert Gangi, Vincent Schiraldi, and Jason Ziedenberg, *New York State of Mind? Higher Education vs. Prison Funding in the Empire State, 1988 - 1998*, Justice Policy Institute and Correctional Association of New York, December 1998.

[6] Ziedenberg and Schiraldi, May 2000.

[7] The Sentencing Project, *Drug Policy and the Criminal Justice System*, August 1999.

[8] John Irwin, Vincent Schiraldi, and Jason Ziedenberg, *America's One Million Nonviolent Prisoners*, Justice Policy Institute, Washington, DC, March 1999.

[9] Statement of General Barry F. McCaffrey, Director, Office of National Drug Control Policy at the National Conference on Drug Abuse Prevention Research, Washington, DC, September, 1996.

[10] According to Beck, 1999, the U.S. incarceration rate is 682 Per 100,000. Russia's incarceration rate is 685 per 100,000, Sentencing Project, Briefing Sheet #1049, *New Inmate Population figures Suggest US Will Soon Surpass Russian Rate of Incarceration*. 1999.

[11] Marc Mauer and Tracy Huling, *Young Black Americans and the Criminal Justice System: Five Years Later, The* Sentencing Project, Washington, DC, October 1995.

[12] Michael Jones and Eileen Poe-Yamagata, *And Justice for Some?*, Building Blocks for Youth, Washington, DC, April 2000.

[13] Marc Mauer, *Intended and Unintended Consequences: State Racial Disparities in Imprisonment*, The Sentencing Project, Washington, DC, January 1997.

[14] U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), *Summary Findings, 1998.*

[15] *Losing the Vote*, The Sentencing Project and Human Rights Watch, October 1998.

[16] Human Rights Watch, *Punishment and Prejudice: Racial Disparities in the War on Drugs*, New York, June 2000.

[17] For state estimates, the 1997 Bureau of Justice Statistics (BJS) estimates of violent, non-violent and drug offender prison populations were converted to percentages, and applied to the 2000 prison and jail estimates released by BJS in April, 2000. The federal estimate is based on a 1998 count and percentage of federal prisoners held for drug offenses that year, and was also applied to the April 2000 estimate. The jail estimate is based on counts on the national jail population done in 1996, and published by BJS in 1998. Beck, Alan. J. *Prison and Jail Inmates at Midyear 1999.* Washington, DC: Department of Justice, Bureau of Justice Statistics, April, 2000; Maguire, Kathleen and Ann. L. Pastore, editors *Sourcebook of Criminal Justice Statistics*, 1998. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 1998.

[18] In 1980, the combined prison and jail population of the US was 474,368. (Ziedenberg and Schiraldi, May 2000).

[19] This estimate should be considered conservative, since it does not include prisoners who are incarcerated solely for failing urine tests while on probation or parole for non-drug offenses.

[20] Costs per inmate per year for state ($20,261.15) and federal ($21,837.95) prisons and jails ($19,903) were derived from The Corrections Yearbook per day average estimate, and applied to our estimates of drug offenders in each system; Camp, George M. and Camp, Camille Graham. *The Corrections Yearbook*, 1998. Middletown, Connecticut: Criminal Justice Institute, 1999.

[21] Based on a calculation of the 15 EU member countries incarceration data from Roy Walmsley, *World Prison Population List: Research Findings No. 88*, Home Office Research, Development and Statistics Directorate, London, United Kingdom.

[22] SAMSHA, *Summary Findings 1998.*

[23] The available census data sets required us to define this group as those ages 15-29. While more minors under age 18 are being tried and punished as adults, their portion of overall prison admissions is low. It is also important to note that in some states a youth may be placed in a juvenile facility until the age of 21 or even 25.

[24] Human Rights Watch, June 2000.

[25] Jonathan P. Caulkins, C. Peter Rydell, William Schwabe, and James R. Chiesa, *Mandatory Minimum Drug Sentences: Throwing Away the Key or the Taxpayers' Money?*, RAND Corporation, Santa Monica, California, 1997.

[26] Perlman, 2000.

[27] Ibid.

[28] The Sentencing Project, 1999.

[29] New York State Unified Court System, *Press Release*, June 22, 2000.

[30] Katherine E. Finkelstein, *New York to Offer Addicts Treatment Instead of Prison*, New York Times, June 23, 2000, page A1.

[31] New York State Commission on Drugs and the Courts, *Confronting the Cycle of Addiction and Recidivism: a Report to Chief Judge Judith S. Kaye*. New York, June 2000.

[32] New York State Unified Court System, *Press Release*, June 22, 2000.

[33] Gangi, et al., 1998.

[34] New York State Commission on Drugs and the Courts, June 2000.

[35] Ibid.

[36] Supreme Court, State of Arizona, *Drug Treatment and Education Fund Implementation Year: The Comprehensive Report, Fiscal Year 1997 - 1998*, March 1999.

[37] Fiscal Effect of "The Substance Abuse and Crime Prevention Act of 2000," California Legislative Analyst's Office, 1999.

[38] Chris Burnett, *Voters are indecisive on voucher initiative*, Scripps-McClatchy News Service, June 30, 2000.

[39] The US Census Bureau estimates the population of the District of Columbia as of 7/1/99 was 519,000.

BEST COPY AVAILABLE

Acknowledgments

The primary authors of this report are Vincent Schiraldi (Justice Policy Institute), Barry Holman (National Center on Institutions and Alternatives), and Phillip Beatty (American University, Sociology Department). Dan Macallair of the Justice Policy Institute researched and authored the California insert. Special thanks to William Chambliss, Ph.D., Melissa Labriola, Mike Males, Ph.D., Mary Cate Rush, Sanho Tree, and Jason Ziedenberg for their research and editorial assistance on this project. This report was designed and laid out by Jill Herschman, Systems Administrator for the Justice Policy Institute.

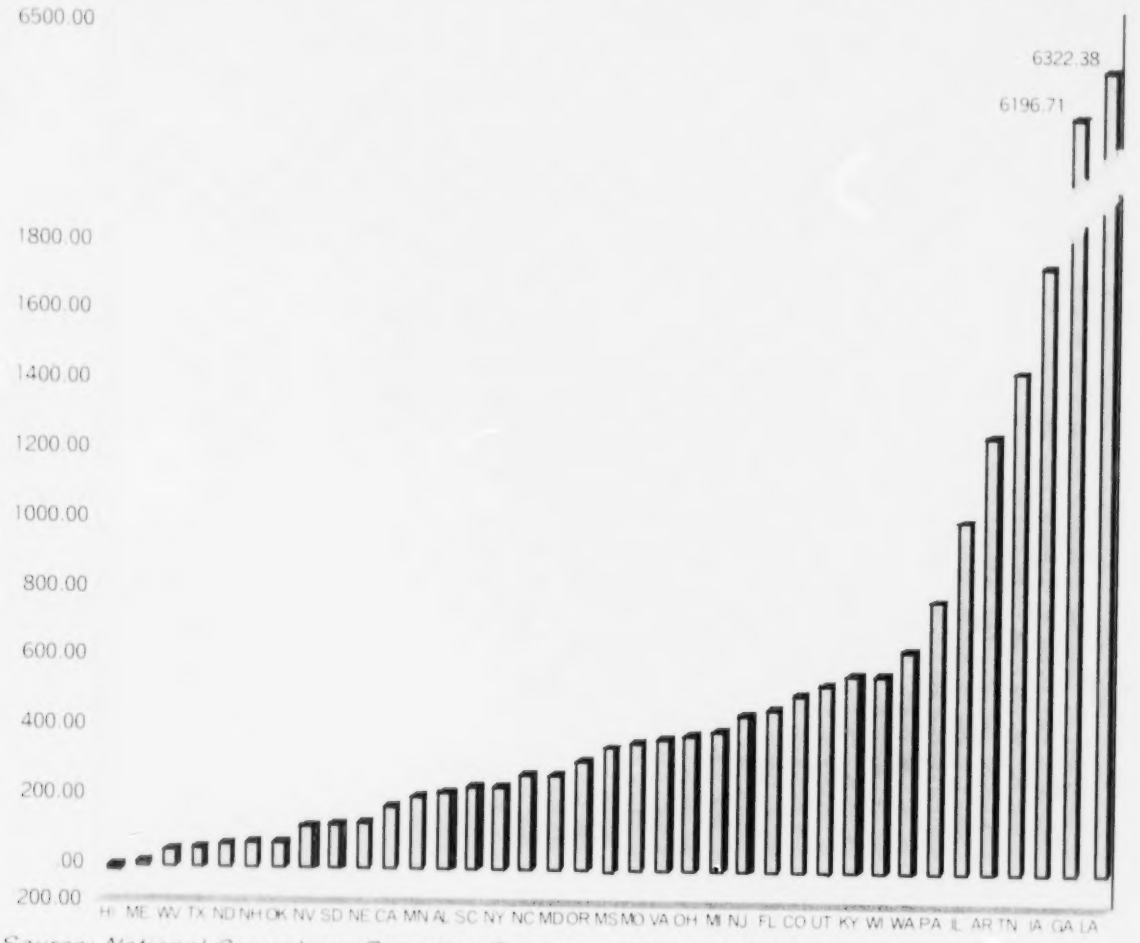
This report was funded by a generous grant from the Open Society Institute, with special thanks to the Lindesmith Center for its assistance.

Appendix Graph 1:
Rate of Prison Admissions for Drug Offenses by Race and State, African American, 1986 & 1996

Source: National Corrections Reporting Program, 1986 and 1996 data

BEST COPY AVAILABLE

Appendix Graph 2:
Percent Change in Prison Admissions for Drug Offenses All Youth, 1986 and 1996 by State



Source: National Corrections Reporting Program, 1986 and 1996 data.

BEST COPY AVAILABLE

Appendix Table 1
State Drug Admission Rate per 100,000, 1986 & 1996

STATE	1986 Rate	1996 Rate	% Change
Alabama	18.69	48.46	159.28
Arkansas	2.40	28.30	1078.69
California	36.47	134.09	267.63
Colorado	7.41	32.76	341.90
Florida	11.00	34.73	215.80
Georgia	2.96	64.46	2078.82
Hawaii	11.69	10.55	-9.76
Illinois	11.14	73.25	557.33
Iowa	1.76	20.57	1072.20
Kentucky	9.03	54.32	501.51
Louisiana	3.56	106.55	2890.84
Maine	4.79	5.24	9.40
Maryland	22.11	68.30	208.93
Michigan	8.92	27.17	204.65
Minnesota	5.18	10.59	104.20
Mississippi	19.39	68.30	252.20
Missouri	12.76	54.45	326.71
Nebraska	11.31	25.92	129.21
Nevada	32.43	59.07	82.15
New Hampshire	6.34	9.65	52.16
New Jersey	22.88	85.26	272.63
New York	25.03	80.79	222.74
North Carolina	24.46	76.69	213.57
North Dakota	8.96	14.62	63.16
Ohio	14.67	55.82	280.56
Oklahoma	26.72	44.35	66.01
Oregon	14.57	53.27	265.60
Pennsylvania	6.51	23.31	258.08
South Carolina	29.35	70.98	141.87
South Dakota	10.34	27.64	167.25
Tennessee	10.17	62.37	513.17
Texas	35.05	48.65	38.79
Utah	6.13	35.36	476.39
Virginia	14.88	52.69	254.01
Washington	6.00	37.48	525.01
West Virginia	8.02	7.59	-5.43
Wisconsin	6.20	26.11	320.95

Source: National Corrections Reporting Program, 1986 and 1996 data.

Appendix Table 2:
Percent of All Prison Admissions that are Drug Admissions, by State and Race, 1986 & 1996

STATE	1986 % Drug Admits	1986 % White Drug Admits	1986 % Black Drug Admits	1996 % Drug Admits	1996 % White Drug Admits	1996 % Black Drug Admits
Alabama	15.85	18.95	12.29	25.99	18.00	30.67
Arkansas	36.36	40.34	20.00	28.24	26.58	30.25
California	18.00	13.31	18.97	34.16	30.77	37.03
Colorado	8.35	10.01	4.65	21.74	14.50	30.45
Florida	65.16	58.22	46.50	23.29	11.48	33.04
Georgia	34.62	38.08	26.00	27.80	17.46	32.91
Hawaii	23.25	34.18	17.86	10.93	9.48	23.64
Illinois	10.65	11.75	7.40	37.23	14.46	46.23
Iowa	43.36	43.43	40.00	15.10	11.74	25.73
Kentucky	9.85	10.07	9.08	25.88	16.98	41.56
Louisiana	40.78	40.72	28.35	33.41	21.59	37.41
Maine	23.05	22.88	.00	9.64	8.42	39.13
Maryland	16.29	16.86	15.64	26.89	13.49	30.37
Michigan	8.81	8.91	8.48	20.37	8.50	28.83
Minnesota	11.09	11.72	6.23	14.62	11.53	20.45
Mississippi	14.95	19.33	12.28	28.32	18.64	31.82
Missouri	13.32	13.71	12.65	23.45	18.16	30.83
Nebraska	18.20	21.11	9.64	22.76	20.55	28.42
Nevada	15.22	13.25	16.67	24.45	22.06	27.98
New Hampshire	16.13	15.14	20.00	12.70	9.71	25.71
New Jersey	23.87	22.57	20.76	43.45	23.37	48.05
New York	21.82	17.16	14.46	45.59	16.72	45.11
North Carolina	9.29	10.32	8.08	25.34	9.85	33.95
North Dakota	13.33	15.07	.00	16.26	17.57	16.67
Ohio	13.40	14.01	12.19	29.15	17.25	38.10
Oklahoma	17.40	16.60	20.46	28.60	25.82	33.93
Oregon	10.89	9.97	9.45	26.35	21.66	33.16
Pennsylvania	11.51	14.12	8.32	28.77	14.46	31.09
South Carolina	11.74	11.57	11.58	24.34	9.69	30.71
South Dakota	9.63	12.33	5.26	17.72	20.02	23.08
Tennessee	7.57	9.35	4.76	23.82	12.40	32.50
Texas	15.77	17.57	11.42	27.51	17.96	37.45
Utah	10.63	10.14	17.98	26.21	24.11	29.05
Virginia	12.79	14.06	11.09	30.81	15.95	38.47
Washington	10.06	8.05	6.28	36.83	23.19	49.96
West Virginia	19.82	18.63	25.77	13.54	8.61	40.25
Wisconsin	10.00	9.79	8.37	21.87	11.79	29.54

Source: National Corrections Reporting Program, 1986 and 1996 data.

Appendix Table 3:
Drug Admission Rates per 100,000 by Race, 1986 & 1996

STATE	1986 White Rate	1986 Black Rate	1996 White Rate	1996 Black Rate	% Change White	% Change Black
Alabama	14.32	30.24	17.07	139.70	19.22	361.95
Arkansas	2.50	1.61	18.22	82.62	628.51	5033.79
California	12.86	175.01	75.39	667.78	486.36	281.56
Colorado	5.90	21.16	11.56	279.59	96.07	1221.53
Florida	5.64	9.97	9.68	178.08	71.82	1686.46
Georgia	2.49	3.19	19.96	178.68	702.25	5499.19
Hawaii	19.62	21.75	8.26	40.70	-57.91	87.13
Illinois	5.97	29.39	9.60	407.03	60.74	1284.97
Iowa	1.60	9.09	12.24	398.32	665.99	4283.97
Kentucky	7.41	30.89	24.65	440.67	232.54	1326.57
Louisiana	2.69	2.73	27.41	278.83	920.26	10102.05
Maine	4.70	.00	4.21	172.02	-10.31	-.-
Maryland	9.66	60.77	10.38	223.51	7.47	267.78
Michigan	4.66	35.15	5.72	153.18	22.69	335.74
Minnesota	3.94	29.83	4.39	207.59	11.29	595.92
Mississippi	14.46	27.57	20.39	150.37	40.99	445.42
Missouri	9.05	44.36	28.97	251.84	219.95	467.71
Nebraska	10.08	35.92	14.55	253.23	44.30	604.90
Nevada	22.72	142.30	40.14	267.12	76.64	87.71
New Hampshire	5.59	53.12	6.77	127.55	21.20	140.14
New Jersey	11.04	83.28	11.17	459.74	1.24	452.05
New York	5.92	56.96	7.00	283.93	18.24	398.49
North Carolina	16.64	49.51	13.19	297.41	-20.75	500.68
North Dakota	8.19	.00	10.84	56.04	32.47	-.-
Ohio	9.90	55.40	16.37	359.96	65.45	549.69
Oklahoma	19.56	120.49	28.89	199.42	47.66	65.50
Oregon	11.59	100.75	36.41	477.20	214.19	373.65
Pennsylvania	4.48	26.33	4.44	148.81	-.78	465.20
South Carolina	17.77	56.00	12.06	207.00	-32.16	269.62
South Dakota	9.84	35.03	26.77	204.50	171.99	483.84
Tennessee	6.84	14.16	17.25	292.27	152.13	1963.58
Texas	23.71	69.91	17.40	220.68	-26.61	215.68
Utah	4.58	153.93	24.19	516.76	427.88	235.70
Virginia	9.79	36.69	12.47	220.26	27.32	500.39
Washington	3.76	23.82	15.10	374.51	301.20	1472.57
West Virginia	6.77	41.53	4.19	112.85	-38.10	171.76
Wisconsin	3.62	42.06	6.27	327.93	72.97	679.62

Source: National Corrections Reporting Program, 1986 and 1996 data.

Appendix Table 4:
Youth Drug Admission Rates per 100,000 by State and Race, 1986 & 1996, and Percent Change in Rate

STATE	1986 Rate All Youth	1996 Rate All Youth	1986 Rate White	1986 Rate Black	1996 Rate White	1996 Rate Black	% Change All Youth	% Change White	% Change Black
Alabama	31.46	100.37	27.10	43.50	28.07	268.52	219.07	3.57	517.27
Arkansas	4.09	55.28	4.91	.00	33.50	148.03	1250.31	582.13	-.-
California	65.35	180.85	17.22	336.02	90.80	726.12	176.76	427.36	116.09
Colorado	10.55	63.95	9.25	18.75	17.12	441.31	506.00	85.03	2253.17
Florida	13.04	73.56	6.73	13.23	16.48	310.88	464.24	145.01	2249.36
Georgia	1.98	126.92	1.38	2.51	30.87	335.06	6322.38	2142.22	13232.97
Hawaii	15.17	13.71	21.49	9.24	12.83	16.62	-9.60	-40.32	79.92
Illinois	16.72	185.00	10.17	38.28	20.34	925.26	1006.16	99.98	2317.25
Iowa	2.35	43.20	2.31	.00	20.77	780.78	1736.26	799.55	-.-
Kentucky	14.75	97.68	12.43	40.74	33.05	812.73	562.10	165.85	1894.99
Louisiana	3.69	232.57	2.94	1.08	46.62	570.83	6196.71	1487.84	52910.48
Maine	6.97	7.80	6.78	.00	5.95	105.93	11.90	-12.31	-.-
Maryland	46.47	171.81	18.47	122.49	19.99	510.05	269.69	8.22	316.40
Michigan	12.58	62.55	7.50	41.09	9.36	328.17	397.05	24.73	698.73
Minnesota	8.17	25.05	6.53	38.24	8.24	454.24	206.75	26.30	1087.88
Mississippi	33.18	149.85	27.87	41.78	28.97	314.39	351.60	3.95	652.49
Missouri	24.72	114.66	18.37	72.40	50.43	540.56	363.88	174.60	646.64
Nebraska	24.44	55.97	22.13	70.89	27.89	505.50	128.99	26.05	613.03
Nevada	54.82	121.74	35.14	251.08	85.90	429.77	122.07	144.48	71.17
New Hampshire	14.01	23.91	13.65	49.70	16.24	187.79	70.62	18.97	277.84
New Jersey	43.34	237.19	21.00	147.05	23.79	1090.61	447.27	13.30	641.67
New York	45.16	151.85	10.42	100.21	13.59	480.23	236.23	30.40	379.24
North Carolina	40.99	151.49	32.06	64.75	25.99	521.92	269.54	-18.94	706.12
North Dakota	21.43	35.49	20.38	.00	28.13	70.82	65.62	38.01	-.-
Ohio	26.44	129.28	20.50	71.69	32.38	793.37	388.94	57.94	1006.68
Oklahoma	50.86	86.87	37.92	198.52	47.81	393.08	70.81	26.09	98.00
Oregon	24.26	99.12	20.31	104.95	59.05	566.93	308.51	190.72	440.19
Pennsylvania	6.52	57.25	4.69	22.74	6.31	351.58	777.67	34.54	1446.31
South Carolina	53.18	177.29	34.05	93.76	21.83	477.10	233.39	-35.91	408.87
South Dakota	26.26	59.18	25.78	.00	57.64	436.41	125.35	123.61	-.-
Tennessee	8.58	131.39	6.10	16.39	31.09	554.48	1431.96	409.84	3283.93
Texas	56.43	89.18	46.46	95.11	28.45	382.54	58.05	-38.76	302.23
Utah	7.80	49.74	7.61	.00	31.39	505.05	537.66	312.29	-.-
Virginia	24.11	113.79	16.67	53.69	21.89	444.92	371.98	31.36	728.62
Washington	10.78	79.47	6.56	12.62	24.38	579.66	637.30	271.57	4493.11
West Virginia	13.31	19.40	11.84	50.43	8.16	329.98	45.82	-31.06	554.32
Wisconsin	11.24	74.61	7.49	60.63	13.85	817.63	563.67	84.83	1248.51

Source: National Corrections Reporting Program, 1986 and 1996 data.

BEST COPY AVAILABLE

Appendix Table 5:
Percent Monthly Drug Use and Rate of Prison Admissions for Selected States, Rate of Drug Admission 1991, Average 1991-93 and Percent 12 and Older Using Drugs in the Previous Month 1991-1993

STATE	Use Rates, 91-93 Average	Drug Incarceration Rate, 91	Drug Incarceration Rate, 91-93 Average
CA	8.23	107.74	102.53
FL	4.95	96.90	78.76
GA	5.82	87.07	75.80
IL	4.64	45.74	47.99
KY	4.53	32.44	32.41
LA	4.38	6.01	55.20
MI	5.52	35.35	32.11
MN	4.62	11.81	10.63
MO	4.98	41.63	39.96
NJ	5.40	69.63	72.49
NY	6.44	76.60	78.37
NC	5.85	74.70	82.57
OH	5.37	58.10	59.50
OK	6.96	44.18	43.95
OR	7.08	8.43	35.92
PA	5.07	22.11	21.00
SC	4.99	72.03	75.64
TN	4.53	49.40	53.97
TX	5.57	69.55	54.88
VA	5.55	60.33	57.38
WA	6.07	35.31	35.02
WV	4.23	22.58	10.78
WI	4.07	17.75	20.16

BEST COPY AVAILABLE

1234 Massachusetts Avenue NW, Suite C1009
Washington, DC 20005
202-737-7270
www.cjcj.org

BEST COPY AVAILABLE